

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

National Fire &
Marine Insurance Co.

v.

Civil No. 07-cv-9-JM

ECH Builders, LLC and
Sparkling River, LLC

O R D E R

Based upon the telephonic arguments of counsel this date concerning the settlement of this case, the court orders:

1. The mortgage, note and guaranty are to be executed immediately and provided to defense counsel, who shall place the executed documents in escrow until the matter is settled and the action is dismissed;
2. Mr. Elliott, as the principal member of defendants ECH Builders, LLC, Sparkling River, LLC and Wellsley, LLC, shall provide plaintiff's counsel copies of the companies' 2007 tax returns and all 2007 annual filings with the Secretary of State. Mr. Elliott shall also provide plaintiff's counsel with a list of any and all business records that have been maintained for each of the three companies during 2008. All these documents must be provided to plaintiff's counsel by December 30, 2008.

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: December 9, 2008

cc: Lucy J. Karl, Esq.
Joann Sternheimer, Esq.
William Aivalikles, Esq.